

EXHIBIT

16

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE WESTERN DISTRICT OF MISSOURI
3
4 JANE DOE,)
5)
6 Plaintiff,)
7)
8 vs.) Case No. 19-cv-6161-BP
9)
10 EDWARD BEARDEN, in his)
11 individual capacity,)
12)
13 Defendant.)
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15)
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11 VIDEO-RECORDED VIDEOCONFERENCE DEPOSITION OF
12 TODD MUSTAIN
13
14 April 30, 2021
15
16 (Beginning at 1:05 p.m.)
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25

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2 FOR THE WESTERN DISTRICT OF MISSOURI
3 JANE DOE,)
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5 Plaintiff,)
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9 EDWARD BEARDEN, in his)
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11 VIDEO-RECORDED VIDEOCONFERENCE DEPOSITION
12 OF TODD MUSTAIN, produced, sworn, and examined on
13 Friday, April 30, 2021, taken on behalf of the
14 Plaintiffs, with the witness appearing via
15 videoconference, before RENEE COMBS QUINBY, a
16 Certified Court Reporter (MO) #1291, Certified
17 Shorthand Reporter (IL) #084-004867, Certified
18 Shorthand Reporter (CA) #11867, Certified Shorthand
19 Reporter (AR) #821, Registered Diplomate Reporter,
20 and a Certified Realtime Reporter.
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16 personnel file
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18 (The original exhibits were provided to the court
19 reporter electronically to be attached to the
20 original and copies of the transcript.)
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<p style="text-align: right;">Page 13</p> <p>1 reside at that address?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. What is your highest education</p> <p>4 level?</p> <p>5 A. High school diploma.</p> <p>6 Q. And where did you go to high school?</p> <p>7 A. Southwest R-1.</p> <p>8 Q. And what year did you get your diploma?</p> <p>9 A. 1980.</p> <p>10 Q. Are you a member of any or have you</p> <p>11 ever been a member of any professional organization?</p> <p>12 A. No.</p> <p>13 Q. Any special training or certificates to</p> <p>14 do anything?</p> <p>15 A. No.</p> <p>16 Q. Okay. And who is your current</p> <p>17 employer?</p> <p>18 A. It's called Alliance Water.</p> <p>19 Q. And are you a plant operator there?</p> <p>20 A. Maintenance operator.</p> <p>21 Q. Okay. And have you been there since</p> <p>22 about May 2020?</p> <p>23 A. Yes.</p> <p>24 Q. And where were you prior to Alliance</p> <p>25 Water?</p>	<p style="text-align: right;">Page 15</p> <p>1 Q. And how long were you with the</p> <p>2 Department of Corrections?</p> <p>3 A. Ten years.</p> <p>4 Q. And did you work anywhere prior to the</p> <p>5 Department of Corrections?</p> <p>6 A. Yes.</p> <p>7 Q. Where did you work prior to joining the</p> <p>8 Department of Corrections?</p> <p>9 A. I worked as an independent contractor</p> <p>10 with storm cleanup.</p> <p>11 Q. Okay. What was the contractor's name?</p> <p>12 A. I was an independent contractor.</p> <p>13 Q. Okay. You were an independent</p> <p>14 contractor, okay.</p> <p>15 And how long did you do that for?</p> <p>16 A. Four years.</p> <p>17 Q. And why did you, I guess, switch career</p> <p>18 paths to join forces and work at the DOC?</p> <p>19 A. Repeat.</p> <p>20 Q. What did you say?</p> <p>21 A. I didn't understand the question.</p> <p>22 Q. Oh, yeah. I was just wondering why you</p> <p>23 stopped doing your independent contractor work to go</p> <p>24 work for the DOC?</p> <p>25 A. When you're in storm cleanup, you</p>
<p style="text-align: right;">Page 14</p> <p>1 A. Norris Quarries.</p> <p>2 Q. And when to when did you work at Norris</p> <p>3 Quarries?</p> <p>4 A. From the time I left the Department of</p> <p>5 Corrections until May of 2020.</p> <p>6 Q. And what was your job title at Norris?</p> <p>7 A. Truck driver.</p> <p>8 Q. And why did you leave Norris?</p> <p>9 A. Norris Quarries was longer hours. They</p> <p>10 didn't have near the benefits that Alliance Water</p> <p>11 does.</p> <p>12 Q. What were your hours at Norris?</p> <p>13 A. They were ten-hour days.</p> <p>14 Q. Did you work only four days a week, or</p> <p>15 did you work more than that?</p> <p>16 A. More than that.</p> <p>17 Q. Okay. And what are your -- how often</p> <p>18 do you work now? What's your schedule like now?</p> <p>19 A. From 6:30 in the morning until 3:00 in</p> <p>20 the afternoon.</p> <p>21 Q. And how often -- how many times a week</p> <p>22 are you working? Monday through Friday?</p> <p>23 A. Five days a week.</p> <p>24 Q. And where did you work prior to Norris?</p> <p>25 A. Department of Corrections.</p>	<p style="text-align: right;">Page 16</p> <p>1 travel basically all over the country, and I had</p> <p>2 just basically wanted to be home more.</p> <p>3 Q. And I have in my file that you actually</p> <p>4 started working at the DOC in August of 2009. Does</p> <p>5 that sound right?</p> <p>6 A. Yes.</p> <p>7 Q. And what facility did you work at then?</p> <p>8 A. Western Missouri Correctional Center.</p> <p>9 Q. So you started your career at the</p> <p>10 Missouri Department of Corrections at WMCC?</p> <p>11 A. Correct.</p> <p>12 Q. And how long were you there before you</p> <p>13 were transferred to Chillicothe?</p> <p>14 A. I -- I don't remember.</p> <p>15 Q. If I told you that my records say in</p> <p>16 early May, it looks like either May 5th or May 6th,</p> <p>17 2012, you were transferred to Chillicothe? Would</p> <p>18 that sound right to you?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. And what was your job title over</p> <p>21 the years just kind of -- well, back up. Strike</p> <p>22 that.</p> <p>23 In -- did you work at Chillicothe until</p> <p>24 you were -- until you started working at Norris</p> <p>25 Quarries?</p>

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